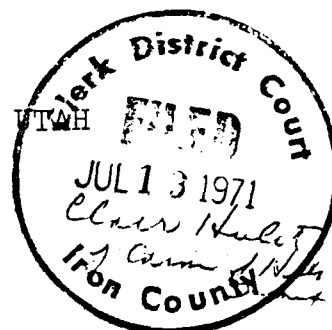


IN THE DISTRICT COURT OF IRON COUNTY, STATE OF UTAH



IN THE MATTER OF THE GENERAL DETERMINATION
OF THE RIGHTS TO THE USE OF ALL THE WATER,
BOTH SURFACE AND UNDERGROUND, WITHIN THE
DRAINAGE ARE OF THE BEAVER RIVER-
ESCALANTE VALLEY AND ALL THE TRIBUTARIES IN
MILLARD, BEAVER, IRON, WASHINGTON, KANE
AND GARFIELD COUNTIES, IN UTAH

STIPULATION

Civil No. 4415

Re: W. U. Claim 246

As an agreement between Newcastle Reservoir Company and Newcastle Town, an unincorporated Town of Iron County, Utah it is stipulated and agrees as follows:

1. That the Protest heretofores filed by Newcastle Town in reference to its W. U. Claim 246 is hereby withdrawn and this agreement shall supercede and replace all other claims of Newcastle Town for irrigation water from Newcastle Reservoir or Pinto Creek.

2. It is stipulated and agreed that Newcastle Town is and shall be entitled to lot water for the use of its citizens, consisting of one-half a c.f.s. of water covered by W. U. Claim 246 for a six month period between April 1 and October 1 or April 15 and October 15 of each year.

3. It is agreed that this one-half c.f.s. is to be delivered by Newcastle Reservoir Company at a point immediately below the Newcastle Reservoir dam and above all other diversions and is to be delivered continuously upon request during the six month irrigation season.

4. It is further agreed that this one-half c.f.s. "makes" or originates in Pinto Canyon and that it is to come into and through the Newcastle Reservoir but that the Newcastle Reservoir Company is not to share its stored water with Newcastle Town as all its stored water is allotted to its stockholders.

5. It is also agreed that the Newcastle Reservoir Company is under no obligation other than to allow up to the one-half c.f.s. to flow through the outlet of the reservoir to the level of the outlet, or any other level which may be agreed between the Newcastle Reservoir Company and any other parties.

6. It is stipulated and agreed that the Proposed Determination of water rights as prepared and submitted by the State Engineer in this General Adjudication Proceeding is to be amended so as to give to Newcastle Town the one-half c.f.s. as herein provided and with the Final Court Decree to reflect this water right.

Signed in the presence of

Charles E. Hart

NEWCASTLE RESERVOIR COMPANY

By

Richard F. Jones

President

Betty H. Christensen

Secretary

NEWCASTLE TOWN, an unincorporated
Town of Iron County, Utah

By

Albert N. Harrison

President